

Appln No. 10/634,337

Amdt date September 27, 2005

Reply to Office action of June 27, 2005

REMARKS/ARGUMENTS

Claims 1-34 and 36-37 remain in the present application, of which claims 1, 18, 27, 29, 30 and 37 are independent. Claims 29, 30, 31 and 37 have been amended herein. Claim 35 has been cancelled without prejudice. Applicants respectfully request reconsideration and allowance of claims 1-34 and 36-37.

I. Obviousness-Type Double Patenting Rejection of Claims 1-37

Claims 1-37 have been provisionally rejected under the judicially created doctrine of obviousness-type double patenting as allegedly being unpatentable over: 1) claims 20-23 of co-pending Application No. 10/952,894; 2) claims 1-20 of co-pending Application No. 10/942,320; 3) claims 1-20 of co-pending Application No. 10/971,678; and 4) claims 1-20 of co-pending Application No. 10/953,014. Since claim 35 is cancelled herein, the rejection of claim 35 is now moot.

As to the obviousness-type double patenting rejection over claims 20-23 of co-pending Application No. 10/952,894, applicants request that the rejection be withdrawn because claims 20-23 are being cancelled from co-pending Application No. 10/952,894 and there no longer is any ground for the obviousness-type double patenting rejection over co-pending Application No. 10/952,894.

As to the remaining obviousness-type double patenting rejections, applicants are filing herewith a terminal disclaimer in compliance with 37 CFR § 1.321(c). Therefore, applicants request that the rejection of claims 1-34 and 36-37 under the judicially created doctrine of obviousness-type double patenting

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be withdrawn. The terminal disclaimer is being filed only for the purpose of advancing prosecution of the application, and as such, should not be taken as an admission of obviousness. Further, since claims 1-28 have not been otherwise rejected and do not depend from any claims that are rejected otherwise, applicants request that these claims be allowed.

II. Rejection of Claims 29, 31 and 34 under 35 U.S.C. § 102(b)

Claims 29, 31 and 34 have been rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. App. Pub. No. 2002/0047581 ("Koyama") and U.S. Patent No. 6,229,506 ("Dawson et al.").

Claim 29 has been amended to recite, in a relevant portion, "[a] display device comprising: a display element for displaying a portion of an image in response to a current being applied; a first transistor having a main electrode and a control electrode, and coupled between a voltage source and the display element; . . . a second transistor having a control electrode coupled to the control electrode of the first transistor, wherein the second transistor is configured to operate as a diode." (Emphasis Added)

To anticipate a claim, the reference must teach every element of the claim. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the . . . claim." *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). Therefore, all

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claim elements, and their limitations, must be found in the prior art reference to maintain a rejection based on 35 U.S.C. §102.

In rejecting claims 29, 31 and 34, the Examiner states that "Koyama teaches a display device comprising: a display element (OLED, 106) for displaying a portion of an image in response to a current being applied; a first transistor (104) having a main electrode and a control electrode, . . . " However, Koyama does not disclose, for example, a display device comprising "a second transistor having a control electrode coupled to the control electrode of the first transistor, wherein the second transistor is configured to operate as a diode," in addition to other terms and limitations of claim 29. Therefore, Koyama does not disclose all elements of claim 29, and does not anticipate claim 29.

Further, the Examiner states that "Dawson et al. teach a display device comprising: a display element (OLED, 380) for displaying a portion of an image in response to a current being applied; a first transistor (365) having a main electrode and a control electrode, and coupled between a voltage source (VDD) and the display element (OLED, 380); . . . " However, Dawson et al. does not disclose, for example, a display device comprising "a second transistor having a control electrode coupled to the control electrode of the first transistor, wherein the second transistor is configured to operate as a diode," in addition to other terms and limitations of claim 29. Therefore, Dawson et al. does not disclose all elements of claim 29, and does not anticipate claim 29.

In view of the foregoing, applicants request that the rejection of claim 29 under 35 U.S.C. § 102(b) be withdrawn and

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that it be allowed. Since claims 31 and 34 depend, directly or indirectly, from claim 29, they incorporate all the terms and limitations of claim 29 in addition to other limitations, which together further patentably distinguish them over the cited references. Therefore, applicants request that the rejection of claims 31 and 34 be withdrawn and that they be allowed.

III. Claims 30, 32-33 and 35-37

Claims 30 and 37 have been amended to be in independent form to incorporate all the terms and limitations of respective claims from which they depend. Claim 37 has been further amended to correct a clerical error not related to patentability. Since claims 30 and 37 were not rejected for any reason other than the non-statutory obviousness type double patenting rejection (which is overcome herein through filing terminal disclaimers), applicants request that claims 30 and 37 be allowed.

Since claims 32-33 and 36 depend, directly or indirectly, from claim 30, they incorporate all the terms and limitations of claim 30 in addition to other limitations, which together further patentably distinguish them over the cited references. Therefore, applicants request that claims 32-33 and 36 be allowed.

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IV. Concluding Remarks

In view of the foregoing amendments and remarks, applicants respectfully request an early issuance of a patent with claims 1-34 and 36-37. If there are any remaining issues that can be addressed over the telephone, the Examiner is invited to call applicants' attorney at the number listed below.

Respectfully submitted,

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